

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|--|---|-------------------|
| ERRIOR HAYDEN and THOMAS |) | |
| PLEASANT, individually and on |) | |
| behalf of all others similarly situated, |) | |
| |) | |
| Plaintiffs, |) | No. 1:12-cv-1583 |
| |) | |
| |) | |
| v. |) | Judge John Z. Lee |
| |) | |
| FRESH EXPRESS INCORPORATED, |) | |
| |) | |
| |) | |
| Defendant. |) | |

**PLAINTIFFS' UNCONTESTED MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND AWARD OF ATTORNEYS' FEES**

Pursuant to Fed. R. Civ. P. 23(e), Plaintiffs move this Court to enter an order finally approving the Settlement Agreement that this Court preliminarily approved on September 19, 2012. In support of this Motion, Plaintiffs have submitted a Memorandum in Support of Their Motion for Final Approval of Class Action and Award of Attorneys' Fees. A draft order is attached as Exhibit D to that Memorandum.

WHEREFORE, the Plaintiffs ask the Court to enter the order attached as Exhibit D to Plaintiffs' Memorandum in Support of Their Uncontested Motion For Final Approval of Class Action Settlement and Award of Attorneys' Fees, or such similar order as the Court deems appropriate.

Respectfully submitted,

/s/ Christopher J. Wilmes

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